

NOTICE OF RULE ADOPTION—FINAL RULE
STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
OFFICE OF MARINE FISHERIES

FILED
DEC 11 2008
MISSISSIPPI
SECRETARY OF STATE

c/o Michaela Hill
1141 Bayview Avenue
Biloxi, MS 39530
(228) 374-5000
(228) 523-4011
michaela.hill@dmr.ms.gov

Specific Legal Authority Authorizing the promulgation of Rule: 49-15-15 (1) (b), Administrative Procedures Act, § 25-43-1.101 *et seq.*

Reference to Rules repealed, amended or suspended by the Proposed Rule No rules have been repealed or suspended. Proposed change to Title 22 Part 7, Chapter 07 Section 100.07 prohibits charterboat vessel captain and crew from keeping recreational limit of greater amberjack, Chapter 08 Section 100.17 eliminating sandbar and silky sharks as recreational catch, Chapter 08 Section 100.18 adding sandbar and silky sharks as protected species, Chapter 08 Section 102.04 increases recreational greater amberjack length to 30 inches, Chapter 08 Section 102.12 increases recreational gray triggerfish length to fourteen inches, Chapter 09 Section 100.15 increases commercial gray triggerfish to fourteen inches, Chapter 09 Section 101.20 eliminates sandbar as a commercial catch except for fishermen possessing a research fishery permit. Chapter 09 Section 101.21 prohibits the commercial possession of silky sharks, Chapter 09 Section 110 allows the importing of fish in MS that do not meet minimum size requirements or for which fishing season is closed with proper documentation.

Date Rule Proposed: October 21, 2008

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 7 REGULATIONS TO PROVIDE SIZE LIMITS AND BAG LIMITS ON CERTAIN FISH SPECIES AND TO PREVENT SALE OF SEAFOOD BY RECREATIONAL FISHERMEN. Proposed change to Title 22 Part 7, Chapter 07 Section 100.07 prohibits charterboat vessel captain and crew from keeping recreational limit of greater amberjack, Chapter 08 Section 100.17 eliminating sandbar and silky sharks as recreational catch, Chapter 08 Section 100.18 adding sandbar and silky sharks as protected species, Chapter 08 Section 102.04 increases recreational greater amberjack length to 30 inches, Chapter 08 Section 102.12 increases recreational gray triggerfish length to fourteen inches, Chapter 09 Section 100.15 increases commercial gray triggerfish to fourteen inches, Chapter 09 Section 101.20 eliminates sandbar as a commercial catch except for fishermen possessing a research fishery permit. Chapter 09 Section 101.21 prohibits the commercial possession of silky sharks, Chapter 09 Section 110 allows the importing of fish in MS that do not meet minimum size requirements or for which fishing season is closed with proper documentation.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

☐ An oral proceeding was held on this rule:

XX An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

XX This rule as adopted is without variance from the proposed rule.

☐ This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

☐ The rule as adopted differs from the proposed rule. The differences however are: Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: December 1, 2008

Michaela Hill Staff Officer
Signature and Title of Person Submitting Rule for Filing

SOS FORM APA 002
Effective Date 07/29/2005